

1724

FEB 21 2002

TRANSMITTAL LETTER
General - Patent PendingDocket No.
Clear Value-020:CIn Re Application Of: **Richard Alan Haase**Serial No.
09/918,246Filing Date
30 July 2001Examiner
Hruskoci, PeterGroup Art Unit
1724

Title:

Potable Water Treatment System & Method of Operation Thereof**COPY OF PAPERS
ORIGINALLY FILED****TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

Return Postal Card;
Notice to Examiner of Incorrect Mailing;
Copy of 14 January 2002 Office Action; and
Copy of The Matthews Firm Request for Withdrawal

in the above identified application.

No additional fee is required.

A check in the amount of _____ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2166 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of _____

Credit any overpayment.

Charge any additional fee required.

SignatureDated: *Feb 5, 2002***Robert M. Bowick, Jr.**

Reg. # 46,569

THE MATTHEWS FIRM

1900 West Loop South, Suite 1800

Houston, Texas 77027

US

713-355-4200 Telephone

713-355-9689 Facsimile

CC:

I certify that this document and fee is being deposited on *6 February 2002* with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence**Matt Robinson****Typed or Printed Name of Person Mailing Correspondence**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Attorney Docket: **Clear Value-020:C**

Examiner: Hruskoci, Peter

Art Unit: 1724

For: *Potable Water Treatment
System & method of Operation
Thereof*

Notice to Examiner of Incorrect Mailing

**Assistant Commissioner of Patents
Washington, D.C. 20231**

COPY OF PAPERS
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Siri:

With regard to the Office Action mailed 14 January 2002, a copy of which is enclosed, while the cover page correctly reflects the above referenced case the remainder of the document references United States Patent Application No. 09/404,295 (to Bettridge, et al). This second case is assigned to Examiner Jennifer McNeil in art unit 1724. Also, please take note that The Matthews Firm has requested to no longer represents Mr. Haase in the above matter. A copy of our Request for Withdrawal, filed 25 January 2002, is submitted as well.

Since no Office Action has been received for United States Application No. 09/918,246, there should be no time period running for response. While we have yet to receive confirmation of our request for withdrawal we respectfully request Examiner Hruskoci to forward to Mr. Haase a copy of the Office Action relating to the above referenced case as well as to The Matthews Firm.

Mr. Haase's mailing address is as follows:

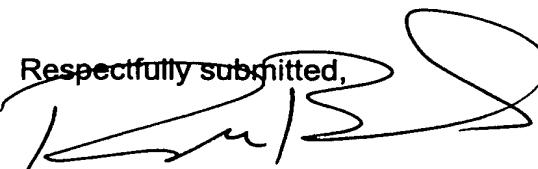
Mr. Richard A. Haase
P.O. Box 623
Sugar Land, Texas 77487



JD 5, 2002

Date

Respectfully submitted,



Robert M. Bowick, Jr.
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cc: Richard A. Haase

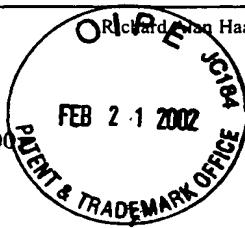


UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,246	07/30/2001	Richard van Haase	Clear Value-020:C	3290

7590 01/14/2002
THE MATTHEWS FIRM
1900 WEST LOOP SOUTH, SUITE 1800
HOUSTON, TX 77027



EXAMINER
HRUSKOCI, PETER A

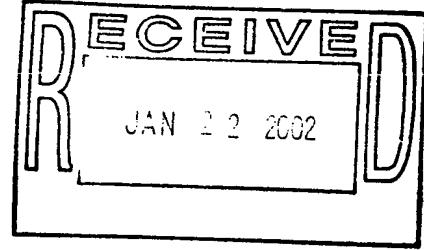
ART UNIT	PAPER NUMBER
1724	9

DATE MAILED 01/14/2002

3/14/02 / 4/14/02

Please find below and/or attached an Office communication concerning this application or proceeding.

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FEB 28 2002
TC 1700



Office Action Summary

FEB 21 2002

Application No.	Applicant(s)	
09/404,295	BETTRIDGE, DAVID FREDERICK	
Examiner	Art Unit	
Jennifer McNeil	1775	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 20 December 2001 .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

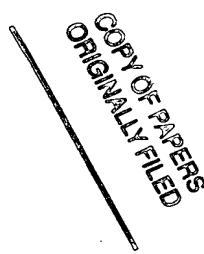
4) Claim(s) 1,2,4,5 and 7-24 is/are pending in the application.
4a) Of the above claim(s) 8-16 is/are withdrawn from consideration.

5) Claim(s) 17-22 is/are allowed.

6) Claim(s) 1,2,4,5,7,23 and 24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.



Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) Other: _____

DETAILED ACTION

This action is in response to the amendment mailed December 20, 2001. A new examiner has been assigned.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 23, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Grunke et al (US 5,006,419). Grunke et al teach a structural component made of a titanium alloy and covered by a protective coating. The protective coating comprises silicates and also includes high temperature resistant pigments such as chromium oxide. A specific example of the silicate that may be used is sodium silicate (water glass). The protective coating may be applied by spraying (col. 3, lines 59-66; col. 6, lines 58-67; col. 8, lines 26-29).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grunke et al (US 5,006,419) in view of Shalaby (US 5,118,581). Grunke et al teach a titanium alloy coated with a layer of silicate and chromium oxide as discussed above but does not give specific examples of the titanium alloys which may be protected. Shalaby teaches protection of gamma titanium aluminides with aluminosilicate coatings. The aluminosilicate coating is applied to the titanium alloy substrate and heated which forms a silicide intermediate layer. As it is shown by Shalaby that silicate coatings may be used to protect titanium aluminide alloy substrates, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the silicate coating of Grunke et al to the substrate of Shalaby to provide a protective coating which avoids discharge of dangerous compounds (Grunke et al, col. 3, lines 59-66). Regarding claim 2, the application of the silicate layer to the titanium alloy substrate and the subsequent heat treatment would form a silicide layer therebetween.

Allowable Subject Matter

Claims 17-22 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 4, 5, 7, 23, and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer McNeil whose telephone number is 703-305-0553. The examiner can normally be reached on Monday through Friday, 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 703-308-3822. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Jennifer McNeil
Examiner
Art Unit 1775

JMN
JCM
January 3, 2002

Deborah Jones
DEBORAH JONES
SUPERVISORY PATENT EXAMINER

Attachment for PTO-948 (Rev. 03/01, or earlier)

6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTO-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a)

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.